



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P (MD) No.12534 of 2020

B.Thavamani

... Petitioner

Vs

1. State rep through its
The Superintendent of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Silaiman Police Station,
Silaiman,
Madurai District.

3.Karuppasamy

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the 1st and 2nd respondents to give police protection by considering the petitioner's representation dated 27.10.2020 for fencing the petitioner's property at property at Virahanur Village, Madurai District in R.S.No.70/1B measuring an extent of 1 acre 30 cents on the date fixed by this Court.

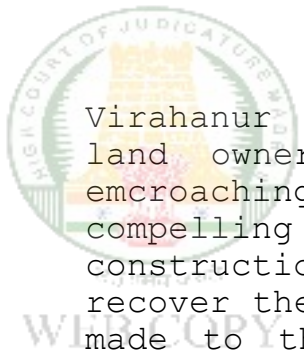
For Petitioner : Mr.R.Velmurugan

For R1 & R2 : Mr.V.Neelakandan,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the 1st and 2nd respondents to give police protection by considering the petitioner's representation dated 27.10.2020 for fencing the petitioner's property at Virahanur Village, Madurai District in R.S.No.70/1B measuring an extent of 1 acre 30 cents on the date fixed by this Court.

2. The petitioner seeks police protection as she anticipates harm at the hands of the third respondent. The petitioner and her sister are owning the above said vacant house site property at



Virahanur Village, Madurai. The third respondent is the adjacent land owner. The third respondent has constructed a house by encroaching 250 sq.ft of the petitioner's property and further compelling the petitioner to sell another 500 sq.ft land nearby his construction. The petitioner has refused to sell and wanted to recover the encroached 250 sq.ft land. In this regard, complaint was made to the second respondent police on 30.05.2019 and its CSR No.255 of 2019. Enquiry on the same is pending. Therefore, the petitioner has given a representation on 27.10.2020 to the respondents 1 & 2. So far, no action has been taken. Hence, the present petition.

3.The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondents to consider the petitioner's representation, dated 27.10.2020 and give police protection for fencing the petitioner's property, if it is necessary.

4.Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 & 2.

5. Considering the submission made by the learned counsel for the petitioner, the respondents 1 & 2 are directed to consider the representation of the petitioner, dated 27.10.2020. If necessary, the respondent police is directed to give police protection to the petitioner. If it is found that police protection is not necessary, based on the petitioner's complaint, the representation shall be rejected and the same shall be communicated to the petitioner so that he can work out his rights in the manner known to law.

6.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vrn

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To: -

1. The Superintendent of Police,
Madurai District,
Madurai.
2. The Inspector of Police,
Silaiman Police Station,
Silaiman,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P(MD)No.12534 of 2020
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